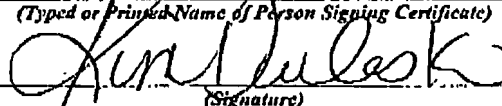


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. BUR920030087US1
Applicant(s): Coolbaugh et al.			
Application No. 10/709,115	Filing Date 4/14/2004	Examiner Ifu, Shouxiang	Group Art Unit 2811
Invention: RESISTOR TUNING			
RECEIVED CENTRAL FAX CENTER JUL 29 2005			
I hereby certify that this <u>Restriction Election with Species Restriction Election (3 pages)</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>7/29/2005</u> (Date)			
<div>Kim Dwileski (Typed or Printed Name of Person Signing Certificate)</div> <div> (Signature)</div>			
Note: Each paper must have its own certificate of mailing.			

JUL 29 2005

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Coolbaugh et al.

Art Unit: 2811

Serial No.: 10/709,115

Dkt. No.: BUR920030087US1

Filed: 4/14/2004

Examiner: Hu, Shouxiang

Title: **RESISTOR TUNING**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESTRICTION ELECTION WITH SPECIES RESTRICTION ELECTION

In response to the Restriction Requirement dated June 30, 2005, Applicants hereby provisionally elect Group I, claims 1-8, drawn to a product, classified in Class 257, subclass 536. This election is made with traverse, and Applicants hereby reserve the right to file a divisional application in connection with unelected claims 9-20, drawn to a method or a product defined by a method.

With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits." Applicants respectfully submit that this policy

10/709,115

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should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

In response to the species restriction requirement dated June 30, 2005, Applicants hereby provisionally elect, with traverse, species 1: embodiment of Fig. 1). Claims 1-3, 7 and 8 read on the elected species. Claims 1, 3, and 8 are generic.

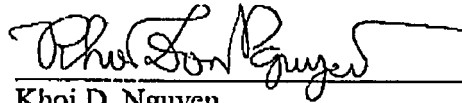
Applicants respectfully contend that the species restriction is improper and should be withdrawn, because a search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

Date: July 29, 2005

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, New York 12110
(518) 220-1850


Khoi D. Nguyen
Registration No. 47,820